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Roger L Belfay
Attorney at Law
Confidential Information

Monday, December 19, 2005

Attn: Edward F. Landrum, Patent Examiner Art Unit 3724

Commissioner for Patents
Mail Stop: Amendment
P.O. Box 1450
Alexandria, VA 22313 1450

Re: Office action of October 17, 2005 concerning:

- US Utility Patent application 10/814,504
- by Tracy
- filed on March 31, 2004
- for the "Foot Frame"
- confirmation #6464.

Edward F. Landrum:

I enclose:

- 1) an amended claim section with marked up changes,
- 2) a clean copy version of the amended claim section,
- 3) an amended detailed description section with marked up changes, and
- 4) a clean copy of the amended detailed description section.

Please enter the above amendments to the subject application.

The objection to the drawings as being indefinite under 37 CFR 1.83a is obviated by entry of the above amendments to the claims and detailed disclosure.

The objection to the Specification as failing to provide proper antecedent basis for the claimed subject matter under 37 CFR 1.75(d)(1) and MPEP Sec. 608.01(o) is obviated by entry of the above amendments to the claims and detailed disclosure.

We respectfully disagree with your rejection of claims 1 through 7 under 35 USC 102(b) as being **"anticipated by Oats '513 (US Patent No. 4,926,513)"** and request that you withdraw this rejection for the following reasons:

- 1) Applicant's claim one includes as one of its element "A frame having a **first, second, third, and fourth side**, for placement on a floor to define said sanitary area and guide said sanitary covering material **through said frame**" while no four sided frame is present or taught in the Oates reference. Further, the Oates reference teaches guidance of the sanitary material using a roller system and tensioning of said sanitary material, while applicant's invention relies on tension to move its sanitary material but relies on the sides of the four sided frame to "...guide said sanitary covering material 2 through said frame 5".

829 Tuscarora Avenue
St. Paul, Minnesota 55102

Telephone: 651-222-2782
e-mail: rogerbelfay@rogerbelfay.com

Roger L Belfay


Attorney at Law

- 2) Applicant's claim one includes as one of its elements "A dispensing device to supply said sanitary covering material **with said dispensing device disposed above said frame**, attached to said first side of said frame, and outside of said sanitary area" while the drawings and disclosures of Oates teach placement of the dispensing device below the sanitary surface. The placement of the dispensing device below the sanitary surface renders the invention of Oates unusable upon a floor as taught by applicants' disclosures.

We respectfully disagree with your rejection of claim 8 under 35 USC 103 as being **"unpatentable over Oats '513 in view of Kapilof '003 (US Publication 2003/0116003)"** and request that you withdraw this rejection for the following reasons:

- 1) Applicant reiterates the above reasons why Oats '513 does not anticipate applicant's claim one and asserts that without one or both of these elements present in Oats '513 it would not be obvious to one of ordinary skill in the relevant art to apply the sensor of Kapilof '003 to modify Oates' to create the invention of applicant's claim 8.
- 2) The sensor disclosed by Kapilof '003 exclusively senses conditions related to the roll of material such as position of said material or forces exerted upon said material, while the sensor of the present invention employs **"Motion, infrared, laser, or weight sensors ... to detect dismount of each user"**. This difference enables the present invention to **"cause automatic collection of the sanitary covering material and preparation of a newly sanitized surface for the next user"** without user intervention other than progressing away from the invention.

Sincerely,



Roger L. Belfay
Registered Patent Attorney
Registration No. 51449
Enclosures:

1. Clean Copy of amended claim set
2. Clean Copy of amended detailed description
3. Mark up of amended claim set
4. Mark up of amended detailed description